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VA FILTRATION USA LLC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

VINOVAION, INC., a California
corporation, and OENOVATION
INTERNATIONAL LLC, a California
corporation,

Plaintiffs,

v.

VA FILTRATION USA LLC, a California
corporation,

Defendant.

Civil Action No.: 3:06-cv-02026-JSW

**AMENDED STIPULATED REQUEST
FOR ORDER ENLARGING TIME
PURSUANT TO CIVIL L.R. 6-2
AND ORDER THEREON**

WHEREAS, a Case Management Conference was held for this case on August 7, 2009; and the Court issued an Amended Order Scheduling Trial and Pretrial Matters on August 11, 2009 (D.I. 49);

WHEREAS, a Stipulated Request for an Order Enlarging Time pursuant to Civil L.R. 6-2 was filed on August 14, 2009 (D.I. 52) and the Order granted on August 17, 2009 (D.I. 54);

WHEREAS, a Stipulated Request for an Order Enlarging Time pursuant to Civil L.R. 6-2 was filed on October 19, 2009 (D.I. 55) and the Order granted on October 20, 2009 (D.I. 56);

WHEREAS a Stipulated Request for an Order Enlarging Time pursuant to Civil L.R. 6-2 was filed on October 30, 2009 (D.I. 57) and the Order granted on November 2, 2009 (D.I. 58);

WHEREAS a Stipulated Request for an Order Enlarging Time pursuant to Civil L.R. 6-2 was filed on November 9, 2009 (D.I. 59) and the Order granted on November 10, 2009 (D.I. 60);

WHEREAS a Stipulated Request for an Order Enlarging Time pursuant to Civil L.R. 6-2 was filed on December 9, 2009 (D.I. 63) and the Order granted on December 10, 2009 (D.I. 64);

WHEREAS, pursuant to the Court's Order Enlarging Time and the previous amended scheduling order, the parties are to exchange Preliminary Claim Constructions pursuant to Patent L.R. 4-2 by January 29, 2010;

WHEREAS, the parties have not been able to resolve the dispute via the previous draft agreement, the parties exchanged a list of terms to be construed on January 18, 2010, and the parties have recently re-engaged in settlement discussions to see if they can reach a new agreement to resolve this case;

WHEREAS, the undersigned counsel, met, conferred and agreed that the dates for service exchange of Patent L.R. 4-2 Preliminary Claim Constructions should be extended for 10 days:

Event	Old Deadline	New Deadline
Preliminary Claim Construction (Patent L.R. 4-4)	January 29, 2010	February 8, 2010

WHEREAS, the December 10, 2009 Order Enlarging Time pursuant to Civil L.R. 6-2 (D.I. 64) set the dates for service of Patent L.R. 4-3 Joint Claim Construction and Prehearing Statement due on January 29, 2010, Patent L.R. 4-4 for Discovery on Claim Construction to be

complete by February 4, 2010, Patent L.R. 4-5(a) for filing and exchanging the Claim Construction Brief on February 18, 2010, Patent L.R. 4-5(b) for filing and exchanging the Response to the Claim Construction Brief on March 1, 2010, Patent L.R. 4-5(c) for filing and exchanging the Reply to the Claim Construction Brief on March 10, 2010, the Tutorial for the Court on March 24, 2010, and the Claim Construction for March 31, 2010; and,

WHEREAS, the undersigned counsel, met, conferred and agreed that the dates for service of Patent L.R. 4-3 Joint Claim Construction Prehearing Statement, Patent L.R. 4-4 Date to Complete Claim Construction Discovery, Patent L.R. 4-5(a) Claim Construction Brief, Patent L.R. 4-5(b) Response to Claim Construction Brief and the Patent L.R. 4-5(c) Reply to Claim Construction Brief should be extended according to the dates in the New Deadline Column:

Event	Old Deadline	New Deadline
Joint Claim Construction and Prehearing Statement (Patent L R. 4-3)	January 29, 2010	February 9, 2010
Last Day to Complete All Discovery Relating to Claim Construction (Patent L.R. 4-4)	February 4, 2010	February 22, 2010
Claim Construction Brief (Patent L.R. 4-5(a))	February 18, 2010	February 22, 2010
Response to Claim Construction Brief (Patent L.R. 4-5(b))	March 1, 2010	March 4, 2010
Reply to Claim Construction Brief (Patent L.R. 4-5(c))	March 10, 2010	March 11, 2010
Tutorial (Court Set)	March 24, 2010	March 24, 2010

Other Patent Local Rule Deadlines, Patent Trial Dates, and Pretrial Dates set by the Court in its August 11, 2009 Order will not be affected.

NOW THEREFORE, IT IS STIPULATED, AGREED AND ORDERED that the date for exchanging Preliminary Claim Construction shall be extended to February ⁹~~8~~, 2010; date for filing a Joint Claim Construction Statement shall be extended to February ⁹~~8~~, 2010; the Last Day to Complete All Discovery Relating to Claim Construction shall be extended to February 22, 2010; date for filing and exchanging the Claim Construction Brief shall be extended to February 22, 2010; date for filing and exchanging the Response to the Claim Construction Brief shall be extended to March 4, 2010; the date for filing and exchanging the Reply to Claim Construction Brief shall be extended to March 11, 2010.

Dated: February 2, 2010

LAW OFFICE OF JUDITH S.H. HOM

By: /s/
Judith Hom

Attorney for Defendant
VA FILTRATION USA LLC

Dated: February 2, 2010

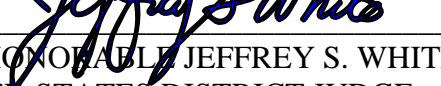
DERGOSITS & NOAH LLP

By: /s/
Michael E. Dergosits

Attorney for Plaintiffs VINOVAION, INC.
and OENOVAION INTERNATIONAL
LLC

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: February 2, 2010

By: 
THE HONORABLE JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE